

112403

17204
U.S. PTOUTILITY
PATENT APPLICATION
TRANSMITTAL

(only for new nonprovisional applications under 37 CFR 1.53(b))

Attorney Docket No.

ETH1538CO

First Inventor

Christopher J. Hess

Title

Vesal Harvesting Retractor with Integral Electrosurgical Clamping Elements

Express Mail Label No.

EV138492293US

22390 U.S. PTO
10/720911

112403

APPLICATION ELEMENTS

See MPEP Chapter 600 concerning utility patent application contents.

ADDRESS TO: Mail Stop Patent Application
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

1. ☒ Fee Transmittal Form (e.g., PTO/SB/17)
(submit an original and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.
3. ☒ Specification [Total Pages 23]
(Preferred arrangement set forth below)
 - Descriptive Title of the Invention
 - Cross Reference to Related Applications
 - Statement Regarding Fed sponsored R&D
 - Reference to sequence listing, a table, or a computer program listing appendix
 - Background of the Invention
 - Brief Summary of the Invention
 - Brief Description of the Drawings (if filed)
 - Detailed Description
 - Claim(s)
 - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) [Total Sheets 7]
5. Oath or Declaration [Total Pages]
 - a. ☐ Newly executed (original or copy)
 - b. ☒ Copy from a prior application (37 CFR 1.63(d))
(for continuation/divisional with Box 18 completed)
 - i. ☐ **DELETION OF INVENTOR(S)**
Signed statement attached deleting inventor(s) named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)

8. Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)

- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
 - i. ☐ CD-ROM or CD-R (2 copies); or
 - ii. ☐ paper
- c. ☐ Statement verifying identity of above copies

ACCOMPANYING APPLICATION PARTS

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 CFR 3.73(b) Statement ☐ Power of Attorney
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☒ Information Disclosure Statement
(IDS)/PTO-1449 ☐ Copies of IDS Citations
13. ☒ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)
(if foreign priority is claimed)
16. ☐ Request and Certifications under 35 U.S.C. 122
(b)(2)(B)(i). Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other

6. ☐ Application Data Sheet. See 37 CFR 1.76

18. ☒ If a CONTINUING APPLICATION, check appropriate box and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:
☒ Continuation ☐ Divisional ☐ Continuation-in-Part (CIP) of prior application No.: 09/967,201, filed 9/28/01.
 Prior application information: Examiner M. Thaler Group Art Unit: 3731
 For CONTINUATION or DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS

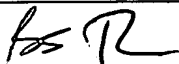
☒ Customer Number or Bar Code Label **000027777** or ☐ Correspondence Address below

Name: Philip S. Johnson, Esq.
 Address: Johnson & Johnson
 One Johnson & Johnson Plaza
 New Brunswick, NJ 08933-7003 USA

20. TELEPHONE CONTACT

Please direct all telephone calls or telefaxes to Brian S. Tomko at:
 Telephone: (732) 524-1239 Fax: (732) 524-2808

21. SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

| | | |
|-----------|---|----------------|
| NAME | Brian S. Tomko | Reg. No. 41349 |
| SIGNATURE |  | |
| DATE | November 24, 2003 | |

| | | |
|------------------------|--------------------------|---------------------|
| FEE TRANSMITTAL | <i>Complete if Known</i> | |
| | Application Number | |
| | Filing Date | |
| | First Named Inventor | Christopher J. Hess |
| | Group Art Unit | 3731 |
| | Examiner Name | M. Thaler |
| | Attorney Docket Number | ETH1538CON |

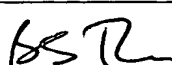
FEE CALCULATION

CLAIMS AS FILED

| (1) | (2) | (3) | (4) | (5) |
|---------------------------|--------------------------|--------------|------------|-----------------------|
| FOR: | NUMBER FILED | NUMBER EXTRA | RATE | BASIC FEE \$750.00 |
| TOTAL CLAIMS | 25 - 20 = | 5 | x 18.00 | \$ 90.00 |
| INDEPENDENT CLAIMS | 3 - 3 = | 0 | x 84.00 | \$ 0.00 |
| MULTIPLE DEPENDENT CLAIMS | <input type="checkbox"/> | N/A | \$280.00 | |
| | | | TOTAL FEES | \$ 840.00 |

METHOD OF PAYMENT

- ☒ Please charge Deposit Account No. 10-0750/ETH1538CON/BST in the amount of \$840.00. Three copies of this sheet are enclosed.
- ☒ The Commissioner is hereby authorized to charge any additional fees which may be required in connection with the filing of this communication, or credit any overpayment, to Account No. 10-0750/ETH1538CON/BST. Three copies of this sheet are enclosed.

| | | |
|-----------------------|---|------------------------------------|
| SUBMITTED BY: | | <i>Complete (if applicable)</i> |
| Typed or Printed Name | Brian S. Tomko | Reg. No. 41,349 |
| Signature |  | Date: 11/24/03 |
| | | Deposit Account No. 10-0750 |

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Hess et al.

For : Vessel Harvesting Regractor with Integral
Electrosurgical Clamping Elements

Express Mail Certificate

"Express Mail" mailing number: EV138492293US

Date of Deposit: November 24, 2003

I hereby certify that this complete application, including specification pages, claims, formal drawings, Declaration and Power of Attorney, Assignment, Preliminary Amendment, and Information Disclosure Statement/Form 1449, is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above and is addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Laurie Phillips

(Typed or printed name of person mailing paper or fee)

A handwritten signature in cursive script that reads "Laurie Phillips".

(Signature of person mailing paper or fee)